

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE: ) Chapter 11  
          )  
EASTERN LIVESTOCK CO., LLC, ) Case No. 10-93904-BHL-11  
          )  
          Debtor. ) Hon. Basil H. Lorch III

**PROPOSED AGENDA OF MATTERS SCHEDULED FOR  
TELEPHONIC HEARING ON NOVEMBER 15, 2011 AT 1:30 P.M. EDT**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, submits this proposed agenda for the telephonic hearing scheduled for November 15, 2011 at 1:30 p.m. EST ("Hearing"). The Trustee anticipates that the matters before the Court for the Hearing will take approximately fifteen (15) minutes.

**I. DIAL IN INFORMATION**

The dial-in telephone number for interested parties to participate in the Hearing by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key.

**II. CONTINUED MATTERS**

1. **Purchase Money Claims Report – reserved funds for resolution (only those matters to be heard pursuant to the scheduling orders will be listed)**
  - a. Stockman Oklahoma Livestock Marketing, Inc. (Docket No. 545) pertaining to Fund No. 65 along with objections filed by The Bank of Kremlin (Docket No. 544), Brent Kuehny (Docket No. 544) and Crumpler Bros. (Docket No. 546)
    - i. Interpleader Plaintiffs' Joint Dispositive Issue Memorandum on Constructive Trust Issue (docket #734)
    - ii. J & F Oklahoma Holdings, Inc.'s Memorandum In Opposition On Kremlin Issue Memorandum (docket #735)
    - iii. Fifth Third's Objection To The Response And Objection Of Brent Kuehny d/b/a Dollar K Cattle Co., And The Bank Of Kremlin To The Trustee's Purchase Money Claims

Report, Motion To Transfer Funds And Notice Of Release  
Of Proceeds From Account (docket #786)

- iv. Fifth Third's Limited Statement And Memorandum In Support Of Trustee's Omnibus Reply To Objections To Purchase Money Claims Report (docket #787)
- v. Trustee's Memorandum Of Law On "Kremlin Issue" (docket #793)
- vi. Dispositive Issue Memorandum (Constructive Trust) Of Stockman Oklahoma Livestock Marketing, Inc. Regarding The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #796)
- vii. J&F Oklahoma Holdings, Inc.'s Brief In Opposition To The Kremlin Issue (docket #815)
- viii. Limited Response Of Fifth Third To Dispositive Memorandum Of Stockman Oklahoma Livestock Marketing, Inc. (docket #818)
- ix. Trustee's Response To SOLM's "Dispositive Issue Memorandum" (docket #829)

Status: *Notice entered (docket #825) continuing Kremlin Issue and Dispositive Issue to December 14, 2011.*

- 2. **["Peoples Bank & Trust"]** Peoples Bank & Trust Company of Pickett County's Motion For Relief From Automatic Stay And Abandonment Of Property (docket #300) *continued from March 11, 2011, April 15, 2011, May 11, 2011, June 24, 2011 and October 25, 2011*
  - (a) Peoples Bank & Trust Company of Pickett County's Motion For Relief From Automatic Stay And Abandonment Of Property (Corrected Motion) (docket #317)
  - (b) Trustee's Objection To Motion For Relief From Automatic Stay And Abandonment Of Property Filed By Peoples Bank & Trust Company of Pickett County (docket #334)
  - (c) Kathryn L. Pry's Joinder Of Trustee's Objection To Motion For Relief From Automatic Stay And Abandonment Of Property Filed By Peoples Bank & Trust Company Of Pickett County (docket #337)

- (d) Supplement To Trustee's Objection To Motion For Relief From Automatic Stay And Abandonment Of Property Filed By Peoples Bank & Trust Company of Pickett County (docket #454)
- (e) Motion For Final Hearing (docket #751)

Status: *Order entered (docket #824) granting Agreed Motion To Continue Evidentiary Hearing On Stay Relief Motion Filed By The Peoples Bank & Trust Company Of Pickett County.*

*Matter continued to December 14, 2011.*

- 3. **["Motion to Quash"]** Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #629) *continued from July 27, 2011, August 8, 2011, August 22, 2011 and September 28, 2011*
  - a) Brief In Support Of Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #630)
  - b) Response To Motion To Quash Order for 2004 Examination (docket #636 and #638)
  - c) Order On Motion To Quash (docket #662)

Status: *Going forward.*

### **III. NEW MATTER**

- 4. **["Motion Approving Auction"]** Motion For Order Approving Proposed Auction Sale Of Certain Personal Property Assets Of Debtor Free And Clear Of Liens, Claims And Encumbrances Pursuant To 11 U.S.C. § 363 (docket #758)
  - a) Gibson Trustee's Limited Objection to Motion for Order Approving Proposed Auction Sale of Certain Personal Property Assets of Debtor Free and Clear of Liens, Claims and Encumbrances Pursuant to 11 U.S.C. § 363 (docket #772)

Status: *Going forward.*

**IV. ADVERSARY PROCEEDING**

5. **["Downs"]** James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC vs Willie Downs (Adv. Proc. 11-59086)

*Status:* *Pretrial conference.*

**V. RELATED CASE**

**In re Thomas and Patsy Gibson 10-93867**

6. **["Motion for 2004 Examination"]** The First Bank and Trust Company's Motion For Examination And Production Of Documents Pursuant To Fed. R. Bankr. P. 2004 (docket #303)

*Status:* *Going forward.*

7. **["Motion to Enlarge Time"]** Trustee's Fourth Motion for Order Enlarging Time in Which the Trustee May File an Objection to the Debtors' Exemptions (docket #407)

*Status:* *Going forward.*

**VI. NEXT SCHEDULED HEARING**

The dial-in telephone number for interested parties to participate in the upcoming scheduled hearing, as indicated below, by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key. The hearing will be held in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana.

<u>Hearing Date</u>	<u>Time</u>
December 14, 2011	10:00 a.m. EST

Respectfully submitted,

BAKER & DANIELS LLP

By: /s/Terry E. Hall

James M. Carr (#3128-49)  
Terry E. Hall (#22041-49)  
Dustin R. DeNeal (#27535-49)  
300 N. Meridian Street, Suite 2700  
Indianapolis, IN 46204-1782  
Telephone: (317) 237-0300  
Facsimile: (317) 237-1000  
[jim.carr@bakerd.com](mailto:jim.carr@bakerd.com)  
[terry.hall@bakerd.com](mailto:terry.hall@bakerd.com)  
[dustin.deneal@bakerd.com](mailto:dustin.deneal@bakerd.com)

*Counsel for James A. Knauer, Chapter 11 Trustee*

Wendy W. Ponader (#14633-49)  
Baker & Daniels LLP  
600 East 96th Street, Suite 600  
Indianapolis, IN 46240  
Telephone: (317) 569-9600  
Facsimile: (317) 569-4800  
[wendy.ponader@bakerd.com](mailto:wendy.ponader@bakerd.com)

### **CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

David L. Abt  
[davidabt@mwt.net](mailto:davidabt@mwt.net)

C. R. Bowles, Jr  
[crb@gdm.com](mailto:crb@gdm.com)

John Hunt Lovell  
[john@lovell-law.net](mailto:john@lovell-law.net)

Mark A. Robinson  
[mrobinson@vhrlaw.com](mailto:mrobinson@vhrlaw.com)

Jeffrey R. Erler  
[jeffe@bellnunnally.com](mailto:jeffe@bellnunnally.com)

Edward M King  
[tking@fbtlaw.com](mailto:tking@fbtlaw.com)

Randall D. LaTour  
[rdlatour@vorys.com](mailto:rdlatour@vorys.com)

John R. Carr, III  
[jrciii@acs-law.com](mailto:jrciii@acs-law.com)

Bret S. Clement  
[bclement@acs-law.com](mailto:bclement@acs-law.com)

Daniel J. Donnellon  
[ddonnellan@ficlaw.com](mailto:ddonnellan@ficlaw.com)

Stephen A. Weigand  
[sweigand@ficlaw.com](mailto:sweigand@ficlaw.com)

John Frederick Massouh  
[john.massouh@sprouselaw.com](mailto:john.massouh@sprouselaw.com)

John W. Ames  
[jwa@gdm.com](mailto:jwa@gdm.com)

Robert Hughes Foree  
[robertforee@bellsouth.net](mailto:robertforee@bellsouth.net)

Kim Martin Lewis  
[kim.lewis@dinslaw.com](mailto:kim.lewis@dinslaw.com)

Jeremy S Rogers  
[Jeremy.Rogers@dinslaw.com](mailto:Jeremy.Rogers@dinslaw.com)

Ivana B. Shallcross  
[ibs@gdm.com](mailto:ibs@gdm.com)

Deborah Caruso  
[dcaruso@daleeke.com](mailto:dcaruso@daleeke.com)

Meredith R. Thomas  
[mthomas@daleeke.com](mailto:mthomas@daleeke.com)

William Robert Meyer, II  
[rmeyer@stites.com](mailto:rmeyer@stites.com)

Allen Morris  
[amorris@stites.com](mailto:amorris@stites.com)

Charles R. Wharton Charles.R.Wharton@usdoj.gov	James Bryan Johnston bjtexas59@hotmail.com	James T. Young james@rubin-levin.net
David L. LeBas dlebas@namanhowell.com	Judy Hamilton Morse judy.morse@crowedunlevy.com	John M. Thompson john.thompson@crowedunlevy.com
Jessica E. Yates jyates@swlaw.com	John Huffaker john.huffaker@sprouselaw.com	Matthew J. Ochs matt.ochs@moyewhite.com
Laura Day Delcotto ldelcotto@dlgfirm.com	Kelly Greene McConnell lisahughes@givenspursley.com	T. Kent Barber kbarber@dlgfirm.com
Ross A. Plourde ross.plourde@mcafeetaft.com	Walter Scott Newbern wsnewbern@msn.com	Kirk Crutcher kcrutcher@mcs-law.com
Todd J. Johnston tjohnston@mcjllp.com	Timothy T. Pridmore tpridmore@mcjllp.com	Theodore A Konstantopoulos ndohbky@jbandr.com
Karen L. Lobring lobring@msn.com	Sandra D. Freeburger sfreeburger@dsf-atty.com	Lisa Koch Bryant courtmail@fbhlaw.net
Elliott D. Levin robin@rubin-levin.net edl@trusteesolutions.com	John M. Rogers johnr@rubin-levin.net	John David Hoover jdhoover@hooverhull.com
Sean T. White swhite@hooverhull.com	Robert H. Foree robertforee@bellsouth.net	Sarah Stites Fanzini sfanzini@hopperblackwell.com
Michael W. McClain mike@kentuckytrial.com	William E Smith wsmith@k-glaw.com	Susan K. Roberts skr@stuartlaw.com
James Edwin McGhee mcghee@derbycitylaw.com	Thomas C Scherer tscherer@binghamchale.com	David A. Laird david.laird@moyewhite.com
Jerald I. Ancel jancel@taftlaw.com	Jeffrey J. Graham jgraham@taftlaw.com	Trevor L. Earl tearl@rwsvlaw.com
David Alan Domina dad@dominalaw.com	Kent A Britt kabritt@vorys.com	Joshua N. Stine jnstine@vorys.com
Jill Zengler Julian Jill.Julian@usdoj.gov	Jeffrey L Hunter jeff.hunter@usdoj.gov	Amelia Martin Adams aadams@dlgfirm.com
Michael Wayne Oyler moyle@rwsvlaw.com	Jason W. Cottrell jwc@stuartlaw.com	Robert A. Bell rabell@vorys.com
James E. Rossow jim@rubin-levin.net	James B. Lind jblind@vorys.com	Melissa S. Giberson msgiberson@vorys.com

I further certify that on November 14, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

Ashley S. Rusher asr@blancolaw.com	Darla J. Gabbitas darla.gabbiitas@moyewhite.com
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/s/ Terry E. Hall